

# **EDMONDS CITY COUNCIL APPROVED MINUTES**

## **August 2, 2011**

The Edmonds City Council meeting was called to order at 7:02 p.m. by Mayor Cooper in the Council Chambers, 250 5<sup>th</sup> Avenue North, Edmonds. The meeting was opened with the flag salute.

### **ELECTED OFFICIALS PRESENT**

Mike Cooper, Mayor  
Strom Peterson, Council President  
Steve Bernheim, Councilmember  
D. J. Wilson, Councilmember  
Michael Plunkett, Councilmember  
Lora Petso, Councilmember  
Adrienne Fraley-Monillas, Councilmember  
Diane Buckshnis, Councilmember

### **ALSO PRESENT**

Peter Gibson, Student Representative

### **STAFF PRESENT**

Stephen Clifton, Community Services/Economic Development Director  
Phil Williams, Public Works Director  
Jim Tarte, Interim Finance Director  
Carl Nelson, CIO  
Rob English, City Engineer  
Renee McRae, Recreation Manager  
Rich Lindsay, Park Maintenance Manager  
Jeff Taraday, City Attorney  
Linda Hynd, Deputy City Clerk  
Jana Spellman, Senior Executive Council Asst.  
Jeannie Dines, Recorder

### **1. APPROVAL OF AGENDA**

**COUNCIL PRESIDENT PETERSON MOVED, SECONDED BY COUNCILMEMBER BERNHEIM, TO APPROVE THE AGENDA IN CONTENT AND ORDER. MOTION CARRIED UNANIMOUSLY.**

### **2. CONSENT AGENDA ITEMS**

**COUNCIL PRESIDENT PETERSON MOVED, SECONDED BY COUNCILMEMBER BERNHEIM, TO APPROVE THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY. The agenda items approved are as follows:**

**A. ROLL CALL**

**B. APPROVAL OF CITY COUNCIL MEETING MINUTES OF JULY 26, 2011**

**C. APPROVAL OF CLAIM CHECKS #126843 THROUGH #126968 DATED JULY 28, 2011 FOR \$494,038.74**

**D. AUTHORIZATION FOR MAYOR TO SIGN LOCAL AGENCY STANDARD CONSULTANT AGREEMENT WITH PERTEET FOR THE 228TH ST. SW CORRIDOR IMPROVEMENT PROJECT**

### **3. SOUND TRANSIT UPDATE**

**Matt Sheldon, North Corridor Program Manager, Sound Transit**, explained the North Link Project is the extension of light rail from Northgate to Lynnwood, one of the projects approved as part of the ST2 package the voters approved in 2008. He described Sound Transit accomplishments:

- Link light rail
  - Service from Seattle to SeaTac - 2009
  - First Hill Street Car – 2014
- Sounder commuter rail
  - 4 round-trip trains, Everett to Seattle – 2003
  - Special weekend Mariners/Seahawks service
  - New Edmonds Station – July 2011
- Sound Transit Express regional bus service
  - Fast, all-day buses – 1999
  - ST Express 510, 511, 522 serve NE 145<sup>th</sup>
- Transit Facilities
  - Ash Way Park & Ride – 1999
  - Lynnwood/SR 99 Transit Lanes – 2003
  - Lynnwood TC & HOV direct access – 2004
  - Ash Way HOV direct access project – 2005
  - Mountlake Terrace freeway station – 2011

He highlighted Sound Transit's biggest challenge: long term revenues are down 25% compared to projections prior to the recession and at the time the ST2 package was approved. The North Link project is on track and moving toward implementation in the next decade.

Mr. Sheldon described Sound Transit projects:

- University Link: Downtown Seattle to UW
  - 3.2 miles
  - 2 stations
    - Capitol Hill
    - UW
  - Under construction
  - Opens 2016
- North Link: UW to Northgate
  - 4.3 miles
  - 3 stations
    - Brooklyn (U District)
    - Roosevelt
    - Northgate
  - Starting final design
  - Opens in 2021
- South Link: Airport to South 200<sup>th</sup>
  - Board recently approved accelerating delivery of this project by several years
  - 1.6 miles
  - 1 station – South 200<sup>th</sup> Street Station
  - Design-build project
  - Opens in 2016
- East Link Preferred Alternative
  - 14 miles
  - 12 stations
  - PE complete
  - Still in negotiations with Bellevue regarding tunnel alignment
  - Open to Overlake ~ 2022/2023

Mr. Sheldon explained although the North Corridor is not anticipated to open until the end of the Sound Transit program in 2023, the process is beginning now due to, 1) the revenue situation and the need to determine the cost of the project as early as possible to provide as much flexibility in moving the project forward, and 2) plans to seek a sizable federal grant. Both the initial segment to the airport and the UW link project have major federal contributions, \$500 million for the airport segment and \$813 million for the UW link. The New Starts grant program is a competitive grant and requires a formal alternatives analysis (AA). Although voters indicated in 2008 they wanted Sound Transit to extend light rail from Northgate to Lynnwood, the AA rules require an unbiased look at all methods from improving transit in the corridor, not just light rail but also bus-based solutions.

He provided a schedule for the complete North Corridor project:

- 2010-11: Alternatives analysis
- 2012-13: Draft EIS & conceptual engineering
- 2013-14: Final EIS & preliminary engineering
- 2015-17: Final design; request New Starts grant
- 2017-19: Permitting & ROW acquisition
- 2018: Sign New Starts grant agreement
- 2019-23: Construction
- 2023: Testing & start of service

The AA process began last October and draft results have been shared with the FTA. In September the formal results will be presented to the public. He displayed maps of the initial North Corridor bus rapid transit (BRT) and light rail alternatives, the product of an early public scoping process in October 2010. Three basic ways to connect high capacity transit, I-5, SR 99 and the 15<sup>th</sup> Avenue corridor in King County, were considered in the AA. He described the three level AA screening process, explaining considerations include ridership potential, cost, land use and economic development potential, and an initial environmental screen. The level 2 evaluation has been completed and the results will be shared with the public this fall as well as beginning the scoping process for the EIS.

Mr. Sheldon explained the two most promising alternatives are both are light rail. It was determined BRT was not adequate to serve long term demand in the corridor and did not have the ability to eventually extend the system north of Lynnwood. Sound Transit's plans as well as PSRC's regional transportation plan call for extending the system eventually to Everett. He reviewed the two most promising light rail alternatives, identifying sections that are envisioned to be elevated and on the ground likely in a dedicated guideway:

- I-5 Light Rail
  - Same alignment as the ST2 planning process
  - Originally assumed all elevated system, now 40% on the ground
  - Follow I-5 right-of-way on the east side to Mountlake Terrace, then I-5 median to Lynnwood and crossing back to reach Lynnwood transit center
- SR 99 Light Rail elevated
  - West across 110<sup>th</sup> in North Seattle to reach Aurora Avenue
  - West side of Aurora to county line with stations at Bitter Lake, Shoreline Park & Ride and Aurora Square, return to I-5 corridor to serve Mountlake Terrace transit center and on to Lynnwood
  - Alternatives that stayed on SR 99 were considered but did not perform as well in terms of ridership or impact

He provided a performance comparison of the SR 99 all-elevated LRT and I-5 at-grade/elevated LRT:

| <b>Measure</b>                                  | <b>SR 99 All-Elevated LRT</b>                      | <b>I-5 At-Grade/Elevated LRT</b>                   |
|---|--|--|
| <b>Length/Stations</b>                          | 10.2 miles/5                                       | 8.5 miles/4  |
| <b>Frequency Vehicles required</b>              | 4/10 mines peak/off-peak<br>42                     | 4/10 mines peak/off-peak<br>32                     |
| <b>Travel Time Lynnwood-Northgate</b>           | 18 miles   | 14 minutes   |
| <b>2030 daily riders</b>                        | 48,000 per day                                     | 52,000 per day                                     |
| <b>2030 new riders/hours saved</b>              | 3.9 M/3.8 M per year                               | 4.5/4.6 M per year                                 |
| <b>TOD &amp; economic development Potential</b> | Weaker in V2040 centers<br>Stronger along the line | Stronger in V2040 center<br>Weaker along the lines |
| <b>Property impacts</b>                         | High commercial<br>Low residential                 | Low commercial<br>Moderate residential             |
| <b>Traffic impacts</b>                          | Minor impacts                                      | Minor improvements                                 |
| <b>Construction impacts</b>                     | Moderate; long duration                            | Low-moderate; long duration                        |
| <b>Environmental impacts</b>                    | Moderate<br>(noise, visual, wetlands)              | Moderate<br>(noise, visual, wetlands)              |

Mr. Sheldon noted the travel time and new rider measures and cost are particularly important in the New Starts grant process. He noted one of the goals of the I-5 route is to make as much use of existing transportation right-of-way as possible. He provided a cost comparison of the SR 99 all-elevated LRT and I-5 at-grade/elevated LRT:

| <b>Measure</b>   | <b>SR 99 All-Elevated LRT</b> | <b>I-5 At-Grade/Elevated LRT</b> |
|--|-------------------------------|----------------------------------|
| <b>Capital Cost</b>  | \$2,010 - \$2,310 M           | \$1,420 - \$1,640 M              |
| <b>Difference v. I-5 LRT</b>   | \$590-\$670 M                 | ---                              |
| <b>Difference v. ST Financial Plan*</b>                                    | \$470 M over to \$770 M over  | \$120 M under to \$100 M over    |
| <b>Cost per new passenger in 2030</b>                                      | \$41-\$46                     | \$25-\$29                        |
| * 2011 TIP estimate funded in ST Financial Plan = \$1,540 M (mid 2010 \$s) |                               |                                  |

Mr. Sheldon summarized the above table, explaining Sound Transit's financial plan contains approximately \$1,540 M for this project, \$600 M is assumed to come from the federal government. If the SR 99 route is selected, additional funding will be necessary. The fall scoping process will include asking citizens whether they want Sound Transit to take a closer look at the SR 99 route in the EIS process or limit examination to the I-5 route. He briefly reviewed next steps:

- August: FTA reviews draft AA results
- September: finalize AA and release results; publish EIS Notice of Intent
- October: EIS scoping
- November: share scoping results
- December Sound Transit Board approves alternatives to evaluate in DEIS
- January: Begin DEIS

Councilmember Buckshnis relayed complaints from citizens trying to reach Edmonds from the airport via Sounder. She asked whether more frequent Sounder service could be implemented to assist residents in reaching Edmonds from downtown Seattle. Mr. Sheldon answered the Sounder service provided today, four round-trips per day between Everett and Seattle with stops in Edmonds and Mukilteo, was part of the Sound Move program that voters approved in 1996. As part of ST2 program development, there was discussion regarding whether to include funding for more service in the north corridor. The Sound Transit Board ultimately decided not to ask voters to fund expansion of that service because, 1) ridership is not as high as the south corridor, approximately 800-1000 riders/day, and there is little additional market in west Snohomish County, and 2) the cost. To implement more service on Sounder North would require

purchasing time from BNSF and there is enough freight traffic that additional Sounder service would require double or triple tracking major segments of the corridor. He summarized the service today on Sounder North is what will exist for a while.

Council President Peterson referred to parking issues at the Edmonds station. **Patrice Harding, Government Relations, Sound Transit**, acknowledged they have heard concerns from Edmonds residents regarding parking at the newly opened commuter rail station. Since the station opened, they have been considering ways to resolve/alleviate the parking situation via, 1) eliminating overnight parking via enforcement, 2) re-negotiating set aside spaces with partners such as eliminating security parking and changing Amtrak parking, and eliminating motorcycle parking and 30-minute parking, and 3) working with the City regarding the use of on-street parking on Railroad Avenue and James Street now that the station can accommodate Community Transit buses. They are also considering leased parking. She explained the property leased for parking during construction was part of construction mitigation and did not have to meet the same requirements that permanent parking must meet. If the same property were leased for permanent parking, it would need to be repaved, restriped, made ADA and pedestrian accessible with signalization, and light stanchions installed. The cost to make those improvements is approximately \$14,000 per space which is not in the current budget.

Council President Peterson inquired about the original plan for a permanent parking structure. Ms. Harding explained the permanent parking structure was part of the Edmonds Crossing project. When those funds became unavailable from the State, that project was put on hold.

Councilmember Wilson recognized the Port of Edmonds Executive Director in the audience and suggested Sound Transit speak to the Port about more cost effective parking on Port property. Councilmember Wilson commented parking on Railroad Avenue was unlikely to be desirable for the community. He noted parking at the Antique Mall property may also be an option. He noted the daily Sounder did not meet a service threshold that made it useful for him, a common complaint among Edmonds residents. He does use the Sounder service to Seahawk games; however, there are no seats available when it reaches Edmonds. Anyone desiring a seat must board the train at Everett. He suggested consideration be given to additional service on those specific days.

Of the two light rail alternatives, Councilmember Wilson suggested the SR 99 route would be more useful for Edmonds users as it would allow them to use existing Community Transit bus service on SR 104 to Aurora Village transit center. He recognized this may require moving the Shoreline Park & Ride stop to Aurora Village. The I-5 light rail route would require Edmonds residents to transfer to another Community Transit bus to reach Mountlake Terrace. He appreciated the cost differential, pointing out the issues raised by Bellevue. He did not want cost to become an issue in the north end subarea when other subareas have a different understanding of cost.

Student Representative Gibson asked when Community Transit will be operating out of the new facility. Ms. Harding answered September.

Councilmember Fraley-Monillas commented she may be too old to use the service to the airport by the time it is available but it will be useful for future generations. She referred to concerns expressed by businesses and residents on the SR 99 corridor.

Mayor Cooper relayed his frustration with what appears to be a lack of communication between Community Transit, Metro and Sound Transit. There is already BRT infrastructure from the Aurora Village transit center to the Everett station. He asked why Sound Transit may not be interested in running Sound Transit BRT buses in cooperation with Community Transit to the stops where there is already infrastructure. Mr. Sheldon explained the BRT alternatives that were considered would have done that, taken advantage and leveraged the Community Transit's investments in their Swift BRT system and that

King County Metro will make on Aurora Avenue in the future via their Metro Rapid Ride system. The concept was to provide a connection from Lynnwood to the Northgate rail head and access to the rest of the regional transit system.

To the question of why light rail is needed on SR 99 when there is already BRT, Mr. Sheldon commented the services are not duplicative, they are complementary. One of the reasons the Shoreline Park & Ride was selected as a potential station rather than Aurora Village, it provides the opportunity for a multimodal center where Swift and Rapid Ride could come together with a light rail station. Co-locating BRT and light rail is a consideration when choosing where to make the light rail investment.

Mayor Cooper commented Edmonds residents and the surrounding communities would benefit sooner if BRT infrastructure was put in and changed from 10 minutes between departures to 5 minutes as well as transport more passengers. Mr. Sheldon advised the results of the AA including the performance of BRT will be available in September during the scoping process. He encouraged the City to consider whether Sound Transit should take BRT further in the EIS.

With regard to a multimodal facility at the Shoreline Park & Ride, Councilmember Wilson commented it would be easier for Edmonds residents to walk 100 yards from the Aurora Transit Center to BRT on SR 99 than to make a bus connection through a different agency.

#### **4. AUDIENCE COMMENTS**

**Dave Page, Edmonds**, commented he has participated on two levy committees in the past seven years. He referred to the need to put a levy on the ballot and described plans to ensure passage of a levy. He proposed that current and former Councilmembers and candidates for Council to contact their constituents to ask for the vote. He also suggested forming a committee of people who are enthusiastic about passing a levy to contact registered voters. He offered his office on Wednesday evenings. Mayor Cooper cautioned Mr. Page about discussing campaign strategy during a Council meeting. He suggested Mr. Page contact Councilmembers individually outside the Council meeting.

**Al Rutledge, Edmonds**, commented the public is aware the City is short of funds but when voting will have to pick between the three proposals. He expressed his support for public safety and police, noting funding of public safety comprises the majority of the City's budget. Observing that public safety is most residents' top issue, he encouraged the Council to place a separate public safety levy on the ballot.

**Roger Hertrich, Edmonds**, referred to his question regarding cost overruns on two projects. He thanked Public Works Director Phil Williams for calling him to discuss the projects, one he was able to discuss and the other he was not. He informed Mr. Williams that he did not need a special report; if the Council was satisfied with the answers, he was satisfied. Next he referred to the discussion at last week's Council meeting regarding expenses exceeding revenues. If the City's finances are clear and the City is able to pay all its bills today, he asked what caused expenses to exceed revenues in future years and whether it was something other than labor. It was his understanding that labor costs had the greatest impact expenditure increases. He suggested managing labor costs in a way so that expenses do not exceed revenues. He pointed out the State reduced salaries by 3%; Edmonds included escalators in its contracts and has indicated the cost of medical insurance will decrease.

#### **5. DISCUSSION AND POTENTIAL ACTION REGARDING THREE ORDINANCES PLACING PROPOSITIONS ON THE NOVEMBER 8, 2011 GENERAL ELECTION**

##### **A. AN ORDINANCE RELATING TO REGULAR PROPERTY TAXES; PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY AT THE NOVEMBER 8, 2011 GENERAL ELECTION OF A PROPOSITION AUTHORIZING AN INCREASE IN THE**

**REGULAR PROPERTY TAX LEVY IN EXCESS OF THE INCREASE OTHERWISE ALLOWED BY CHAPTER 84.55 RCW TO HELP MAINTAIN CURRENT LEVELS OF SERVICE IN PUBLIC SAFETY, PARKS, AND OTHER CITY SERVICES; SETTING FORTH THE BALLOT TITLE THEREFORE; REQUESTING THAT THE SNOHOMISH COUNTY AUDITOR PLACE THE PROPOSITION ON THE NOVEMBER 8, 2011 BALLOT; AND FIXING THE TIME WHEN THE SAME SHALL BECOME EFFECTIVE**

- B. **AN ORDINANCE RELATING TO REGULAR PROPERTY TAXES; PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY AT THE NOVEMBER 8, 2011 GENERAL ELECTION OF A PROPOSITION AUTHORIZING AN INCREASE IN THE REGULAR PROPERTY TAX LEVY IN EXCESS OF THE INCREASE OTHERWISE ALLOWED BY CHAPTER 84.55 RCW TO FUND STREET PAVEMENT OVERLAYS; SETTING FORTH THE BALLOT TITLE THEREFORE; REQUESTING THAT THE SNOHOMISH COUNTY AUDITOR PLACE THE PROPOSITION ON THE NOVEMBER 8, 2011 BALLOT; AND FIXING THE TIME WHEN THE SAME SHALL BECOME EFFECTIVE**
- C. **AN ORDINANCE RELATING TO REGULAR PROPERTY TAXES; PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY AT THE NOVEMBER 8, 2011 GENERAL ELECTION OF A PROPOSITION AUTHORIZING AN INCREASE IN THE REGULAR PROPERTY TAX LEVY IN EXCESS OF THE INCREASE OTHERWISE ALLOWED BY CHAPTER 84.55 RCW TO FUND BUILDING MAINTENANCE AND PARK IMPROVEMENTS; SETTING FORTH THE BALLOT TITLE THEREFORE; REQUESTING THAT THE SNOHOMISH COUNTY AUDITOR PLACE THE PROPOSITION ON THE NOVEMBER 8, 2011 BALLOT; AND FIXING THE TIME WHEN THE SAME SHALL BECOME EFFECTIVE**

Councilmember Plunkett inquired about an ordinance that was distributed to the Council tonight. Mayor Cooper advised the new ordinance was a potential amendment to one of the ordinances in the packet.

Mayor Cooper referred to the ordinances in the Council packet, A) General Fund levy; based on Council conversations at the July 26 meeting, the purpose was narrowed to public safety, parks and other city services; B) road overlays with reference to maintenance removed; and C) parks.

City Attorney Jeff Taraday explained the whereas in all three ordinances are significant different than the ordinances proposed at the July 26 meeting because he clarified how the levy rate was determined in the proposed ballot title such as how changes in assessed value impacted the levy rate, what could be done in the absence of voter approval and the rate required to raise the additional revenue.

Mayor Cooper asked Mr. Taraday to explain why the total levy amount (i.e. \$1 million) or an amount per \$1000 of assessed value was not used in the ballot title. Mr. Taraday explained there is nothing that strictly prohibits the inclusion of an absolute dollar amount in the ballot title. His review of levies in other cities found that was not done in regular levy lift resolutions or ordinances. An absolute dollar amount is frequently included in the ballot title for a bond because there is a fixed amount of money to be raised by the bond and property taxes will be collected until that amount is paid off.

With regard to including language in the ballot title regarding the effect the levy would have on an average home, Mr. Taraday explained that was more appropriate to include in an explanatory statement than the ballot title. The City Attorney drafts the explanatory statement and submits it to the County Auditor by August 16, the same time the certified ordinances are submitted. The amount intended to be raised by each levy will be included in the explanatory statement; \$1 million for the General Fund, \$1 million for overlays and \$500,000 for parks.

Mayor Cooper asked staff to explain why the amount per \$1000 of assessed value changed and how it relates to the change in the City's assessed value. Mr. Taraday answered Interim Finance Director Jim Tarte provided information from the Snohomish County Auditor regarding the City's 2012 assessed value, a decrease of approximately 11% from 2011 assessed values. When the assessed valuation decreases, the millage rate must increase. There is a significant difference between the 2011 rate and the proposed ordinances due to the significant decrease in assessed valuation.

Council President Peterson thanked staff and the Council for the healthy, though lengthy, deliberative process. He felt the proposed ordinances were compromises; none of the Council got exactly what they wanted.

Ordinance A: Help Maintain Current Levels of Service in Public Safety, Parks and Other City Services

**COUNCIL PRESIDENT PETERSON MOVED, SECONDED BY COUNCILMEMBER BERNHEIM, TO APPROVE ITEM A, ORDINANCE NO. 3848, A GENERAL FUND ORDINANCE TO MAINTAIN CURRENT LEVELS OF SERVICE IN PUBLIC SAFETY, PARKS AND OTHER CITY SERVICES.**

Mr. Taraday suggested it may be more accurate to refer to this ordinance as the City Services ordinance as it is technical no longer a General Fund ordinance. Due to the changes made, if the levy passed, the City would not have unlimited use of the funds; the funds must be used for public safety, parks or other city services.

Council President Peterson explained this ordinance will help retain basic City services. There are no plans to add building or departments; it provides "a few gulps of air" while the economy hopefully recovers and other possibilities are considered such as the Regional Fire Authority (RFA). Because the ordinance is for a levy to fund basic City services, he had concerns with it being a 3-year levy.

**COUNCIL PRESIDENT PETERSON MOVED, SECONDED BY COUNCILMEMBER WILSON, TO AMEND THE MOTION TO MAKE THIS A PERMANENT LEVY AND REMOVE THE 3-YEAR LANGUAGE.**

Mayor Cooper advised this amendment was reflected in the ordinance that was distributed to the Council tonight.

Councilmember Wilson explained this ordinance gives the Council permanent authority to raise the tax rate. If the economy turns around, the Council can reduce the tax rate although admittedly government rarely does that. The Council learned last week that over the next 5 year period, the City needs \$1.75 million to cover existing City services. The 3-year levy does not solve the problem, \$1.75 million over the next 5 years. The amendment gets the City part of the way. With a 3-year levy, when the levy terminates in 3 years, there will be a \$2.75 million shortfall in 1 year. When that happens 8% of the City's staff will need to be laid off and an 8% cut in City's services in addition to the 2 police officers that have been cut previously, cuts make to parks, etc. He preferred to place a levy on the ballot that solved the problem; \$1 million/year for 3 years will not solve the problem. To illustrate his willingness to compromise, he pointed out he has submitted a number of proposals over the last two years, has given away his advocacy for public safety, and set aside his interest in buying back cuts. If the Council will support making this \$1 million levy permanent, he will support the other two levies. The other two levies are great "nice-to-haves" but he cannot ask voters for nice-to-haves without funding the basic problem in the General Fund. He urged Councilmembers to support the proposed amendment.



Councilmember Fraley-Monillas was unable to support a permanent levy. She felt three years was enough to ask the citizens for; if the basic problems cannot be solved within those three years via economic development and other efforts, the taxpayers should be asked again.

Councilmember Buckshnis asked Mr. Tarte to display the projections with the change to a modified accrual accounting that is used by many other cities. Mayor Cooper urged Councilmember Buckshnis to focus her remarks on the levy and not the accounting method. Councilmember Buckshnis commented a new forecast shows that in 2015, with \$4 million as the fund balance and adding the accruals and removing the payables, the City is in much better shape. For that reason she could not support a permanent levy but would support a 3-year levy with funding dedicated to fire service.

Councilmember Wilson clarified what staff presented last week was Mayor Cooper's forecast. He asked whether there was a new forecast. Mayor Cooper answered he did not have a new forecast and neither the City Council nor the Mayor's office have adopted a new accounting method. Councilmember Wilson recommended that until the Council decided to book accounts receivable differently, the Council should stick with the forecasts that staff and the Mayor provided last week.

Mr. Tarte explained last week he provided a what-if scenario if the Mayor and Council approved a different accounting method, fund balance versus working capital. He explained that one-time change did not fix the problem of expenditures exceeding revenues. Expenses exceed revenues because of the recession, sales tax revenues have declined and assessed values have decreased. The sooner the Council and citizens recognize the shortfall, the easier it will be to mitigate. If the Council waits 2-3 years and proposes a \$3 million General Fund levy, it will require a 40-50% increase in taxes in one year.

Councilmember Petso expressed support for the amendment to a permanent levy because she was not comfortable with the number of staff positions that would be connected to the \$1 million levy. She commented this was different than roads; at the end of a 3-year road levy, no staff would be laid off, paving could just be stopped as has been done in the past. The idea of funding \$1 million in staff positions with a levy that may last only 3 years concerned her.

Council President Peterson pointed out the Council was not voting for a tax increase tonight; they were asking the voters to make informed decisions. The information provided by staff and the Mayor and the Council's deliberations over the last months highlighted that the City does not collect enough money. The citizens understand that and will be willing to support a levy. With a permanent levy if the economy improves in 3 years, sports tourism and other economic development is generating money, the Council could decide to reduce the levy rate. With a 3-year levy if the economy does not improve, the concerns will be compounded exponentially. He felt a 3-year levy was a significant gamble. He was willing to support a 3-year option but did not feel it was the fiscally wise or conservative choice to maintain existing City services and staff.

Council President Peterson referred to Councilmember Fraley-Monillas' comment last week, that she wished a levy had been passed two years ago, pointing out three years passes very quickly and he did not want to have this discussion again at that time. He summarized the \$1 million City services ordinance would not fully support all existing services and the other funding sources the Economic Development Commission (EDC) and others are working on will be needed.

Councilmember Fraley-Monillas felt it was a bigger gamble to ask citizens for a permanent increase in taxes when citizens losing their homes and their jobs, unable to afford their medical insurance and food, etc. She did not think the voters would pass a permanent levy and felt it was smarter to ask for a shorter term, particularly if people were banking on the economy improving. She preferred to seek other funding sources rather than permanently tax property owners.

Councilmember Bernheim asked the proponents of the amendments the consequence of a permanent levy failing. His support of a 3-year levy was a step-by-step, baby-step, earn the voters trust approach; going to the voters with a discrete project and illustrate how the money will be spent over a specific time period. If successful, that success can be leveraged into continued levy requests. He summarized his two questions were: 1) the consequence of a permanent levy failing, and 2) whether there was enough voter trust to convince them to support a permanent levy.

Councilmember Plunkett did not support subsidizing the General Fund. He referred to Mr. Tarte's comment that the source of the City's problems was the economy. Councilmember Plunkett anticipated improvement in the economy was years away. For those who support the City Services ordinance and the amendment he questioned how they reconciled the Finance Director stating the problem was the economy with a permanent levy.

Councilmember Petso was uncertain how she would vote on the ultimate levy proposal. Her decision tonight will not be whether the City has made its case for any of the proposals but whether the proposal is close enough that she can allow the citizens to vote. As a result she did not feel a temporary levy was safe to propose to the voters. She recognized a 3-year levy was more likely to pass although she did not envision either a 3-year or a permanent levy would pass. With regard to Councilmember Bernheim's question regarding the consequences of failure, the consequences are either the City gets good news or cuts another \$300,000 from the 2012 budget and places another levy on the ballot in the future. When another levy is placed on the ballot, the City will have completed a Strategic Plan, hopefully completed union negotiations and have an idea of the reduction in medical benefit costs. She summarized the consequence of failure was not the end of the world; if the levy fails, the City will adapt and make do.

With regard to the baby steps theory, Councilmember Petso explained placing a levy on the ballot that everyone can support in an effort to build public support went "out the window" when the theory of Council unanimity on a proposal was abandoned. She recalled the only proposal the Council unanimously supported was \$700,000-\$750,000 for roads. Several Councilmembers have managed to compromise.

Councilmember Wilson referred to Councilmember Plunkett's view of this levy as General Fund subsidy; he viewed it as paying for services that citizens ask for. Councilmember Wilson explained since he was elected 3 ½ years ago he has cut \$3 million from the budget; the budget today is smaller than when he was elected 3½ years ago. The City realigned how it provides fire service via the FD1 contract and has made changes in public safety and parks. That is how the Council builds trust. When citizens were asked via the survey what they wanted to see, they wanted the Council to speak with as much consensus as possible. When the TBD was placed on the ballot, the Council said they would learn from the vote. What the Council learned is citizens expect the Council to speak with some consensus. If this amendment is approved, there may be six votes for final approval of the City Services ordinance. He will be unable to support the other two levies if the basic General Fund problem is not solved first. He urged Councilmembers to compromise a little bit, noting these levy proposals are approximately the vision provided by the Citizen Levy Committee led by Councilmember Buckshnis.

Councilmember Fraley-Monillas stated she will stand behind the levy because she believes the City needs a levy. She does not support a permanent levy to fund City services. She referred to Councilmember Petso's statement that if a City services levy does not pass, the City will adapt and make do, commenting that conflicted with asking voters to pass a permanent levy. She wanted a levy to pass and she agreed unanimity would be desirable but she would not support a levy longer than three years.

Mayor Cooper explained the 2012 budget he will present at the first meeting in October will not reflect the levy. It will be a balanced budget that reflects the \$300,000-\$350,000 shortfall.

Student Representative Gibson asked if there was really any difference in the 3-year levy passing and then the voters being asked again to pass another levy.

Councilmember Buckshnis suggested tying the 3-year City Services levy to first service because the contract with FD1 is up for renewal in 3 years. She did not support a permanent levy because assessed values will eventually increase and if the City joins an RFA, the \$6.4 million expense for fire service will be removed from the General Fund, thereby eliminating the problem.

Council President Peterson commented the individual levies for roads and parks provide an opportunity to demonstrate improvements. The problem with the baby steps approach to the City Services levy is it “keeps us just from going under water, it’s not very exciting.” The intent of the City Services levy is that citizens do not notice the difference and quality services are maintained. He hoped the services that the City Services levy funds are invisible other than citizens saying they are happy with the Police Department or thanking the City for maintaining parks. The roads and parks levies provide an opportunity to make improvements that have been ignored for the last decade due to previous cuts.

**UPON ROLL CALL, THE VOTE ON THE AMENDMENT FAILED (3-4), COUNCIL PRESIDENT PETERSON AND COUNCILMEMBER PETSO AND WILSON VOTING YES; AND COUNCILMEMBERS FRALEY-MONILLAS, BERNHEIM, PLUNKETT AND BUCKSHNIS VOTING NO.**

**COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER PETSO, TO AMEND THE MOTION TO SPECIFY THAT THE LEVY FUND FIRE SERVICES.**

Mayor Cooper clarified the ballot title currently states, “public safety, parks and other City services;” Councilmember Buckshnis’ amendment is to change that language to “current levels of fire services.”

**COUNCILMEMBER PETSO WITHDREW HER SECOND AND THE AMENDMENT DIED FOR LACK OF A SECOND.**

**UPON ROLL CALL, THE VOTE ON THE MAIN MOTION ON ORDINANCE NO. 3848, CARRIED (4-3), COUNCILMEMBERS BERNHEIM, BUCKSHNIS, AND FRALEY-MONILLAS AND COUNCIL PRESIDENT PETERSON VOTING YES; AND COUNCILMEMBERS PLUNKETT, WILSON AND PETSO VOTING NO.**

Ordinance B: To Fund Street Pavement Overlays

**COUNCIL PRESIDENT PETERSON MOVED, SECONDED BY COUNCILMEMBER BERNHEIM, TO APPROVE ITEM B, ORDINANCE NO. 3849, \$1 MILLION TO FUND STREET PAVEMENT OVERLAYS.**

Councilmember Wilson commented it was bad policy to ask the voters for nice-to-have items. He acknowledged fixing the City’s streets and parks was very important but if the General Fund levy fails, there will be no staff to fix the streets or make park improvements because staff will have to be laid off. Even if the General Fund passes, the City is still \$750,000 short of its expenditures. The most ridiculous embarrassing position for him as a Councilmember would be if the street or park levies passes and the General Fund levy fails and he has to tell the voters that either staff will be laid off or money from the street or parks levy will be moved around in the General Fund. He did not support the motion.

Councilmember Fraley-Monillas asked whether Councilmember Wilson did not support this ordinance because of the limited time frame approved for the General Fund levy. Councilmember Wilson answered he did not support this ordinance because he did not want to ask the voters to fund a levy that did not address the City’s basic problem. The basic problem is the City does not have enough money to pay for

the services it offers. This levy provides an additional service that is important but it does not fund existing services.

Councilmember Buckshnis expressed support for the General Fund levy and for this levy. She anticipated the voters will approve a General Fund levy; if not, the budget has historically been 3-5% over during the past 4-5 years, approximately \$990,000 which will cover the 2012 shortfall.

Councilmember Fraley-Monillas expressed support for the ordinance. Whether a General Fund levy passes is irrelevant; if the City's streets are in poor condition, there will not be economic development or people moving to Edmonds and residents will not have the ability to travel around Edmonds.

**THE VOTE ON THE MAIN MOTION ON ORDINANCE NO. 3849 CARRIED (6-1),  
COUNCILMEMBER WILSON VOTING NO.**

Ordinance C: To Fund Building Maintenance and Park Improvements

**COUNCIL PRESIDENT PETERSON MOVED, SECONDED BY COUNCILMEMBER  
BERNHEIM, TO APPROVE ITEM C, ORDINANCE NO. 3850.**

Council President Peterson commented he was the least excited about this ordinance due to potential conflicts if the General Fund levy failed and the roads levy and this levy passed. He was hopeful all three levies would be approved by the voters. He will support the motion although somewhat reluctantly.

Councilmember Bernheim expressed support for the ordinance. With regard to whether there will be staff remaining if this levy passes and the General Fund levy does not, he pointed out the City's reserves can be used to address the shortfall at some point.

Councilmember Fraley-Monillas expressed support for the motion, noting building maintenance and parks are very important to Edmonds residents. Buildings falling down and poorly maintained parks affect quality of life.

Councilmember Wilson reminded twice a year when the General Fund budget goes into the red, funds are transferred to cover it. This motion does nothing to solve the basic problem and therefore he cannot support it.

**THE VOTE ON THE MAIN MOTION ON ORDINANCE NO. 3850 CARRIED (6-1),  
COUNCILMEMBER WILSON VOTING NO.**

Mayor Cooper commented this has been a long process and many have been subject to verbal criticism for the length of time it has taken. Although he would have preferred a closer vote than 4-3 on the first ordinance, he thanked the Council for working so deliberatively over the past several months to find a solution. The Citizen Levy Committee's recommendation, the proposal from the Mayor's office, and the three ordinances the Council approved for the ballot tonight all had a similar approach. His proposal was one proposition; the Levy Committee recommended three propositions but the funding was similar. He thanked the Council for their deliberative and professional approach to the levy.

Mr. Taraday reminded the Council needed to appoint pro and con committees for each of the three propositions. Mayor Cooper recalled the Council Presidents calls for and makes those appointments. Mr. Taraday advised the Snohomish County Auditor's Voters Pamphlet states the legislative authority makes the appointments. If not tonight, the Council could make those appointments at the August 15 meeting.

Council President Peterson invited citizens and Councilmembers interested in participating on the pro and con committees to contact him via email at [Peterson@ci.edmonds.wa.us](mailto:Peterson@ci.edmonds.wa.us).

Mayor Cooper advised Mr. Taraday will write the explanatory statement. Mr. Taraday advised the pro and con statements are due on August 30.

## **6. DISCUSSION REGARDING A DIVERSITY COMMISSION**

Councilmember Wilson explained Edmonds has an increasingly diverse population. According to the 2010 Census 9.9% of residents are foreign born and 11.6% speak a language other than English at home. Diversity includes age as evidenced by strollers on City streets and the active Senior Center; economic with Edmonds having some of the most affluent residents and some of the most disadvantaged populations; an active LGBT community at the high school; and an openly gay member of the legislature who serves the 21<sup>st</sup> Legislative District. A group of citizens asked to present the idea of a Diversity Commission to the Council. He will offer a resolution that gives a stamp of approval for citizens, staff and him to create an outlines of a Commission or Commissions focused on diversity.

**Carol Schillios, Edmonds**, explained this presentation is to, 1) open a conversation about diversity, 2) describe what might be meant by diversity, and 3) to explore the possibility and ask for the Council's support for a forum for conversations about diversity. The 2010 Census indicates there is social, demographic and economic diversity. Of the nearly 40,000 Edmonds residents, 18,700 are male and 20,816 are female. There are 13,000 people 62 years of age and older and 9,000 kids enrolled in school of which 6,000 are elementary and high school. Approximately 3,000 or 6% of the Edmonds population are Asian and over 1,500 or 4% are Latino.

The goal of a diversity commission is to explore how they are represented, not to say they are not represented but to open community relationships and explore the diversity, whether by bringing different age groups together, bringing different ethnicities together, or learning about different culture. A diversity commission would enrich the community, open communication as well as have a direct effect on public safety. She cited an example of someone afraid of a group of young people with purple hair. That discomfort can be bridged by helping people understand each other, bringing different age groups together and creating forums for learning about different cultures. In the last 10 years, nearly 11% foreign born citizens have moved into Edmonds.

Over 6,000 people in the census reported they are disabled. The commission could explore how those people are served. Over 2,000 women reported in the census they are widowed. She relayed a woman who visited her shop who had not been out in public for months because she did not know what services were available. In 1999 there were over 300 families below the poverty level. There are two Section 8 housing complexes in the Edmonds bowl; the diversity commission could consider the needs of the low income residents. She clarified they were not asking the City for money; they want a forum to engage people in an effort to enrich the community. Other communities have been exploring diversity commissions and a variety of issues. The structure of the commission is unknown but she was certain there are unheard voices in the city and a diversity commission can enhance public safety and inform decision-making. There is a fair percentage of residents who speak limit English; she questioned how the City communicates with that population. She encouraged the Council to support the creation of a forum to honor and celebrate diversity.

**Rey Gardea, Edmonds**, incoming junior at Edmonds-Woodway High School, accompanied by her friend and classmate, **Taylor Minor**, commented that in addition to diversity, youth are a very important part of the community. She viewed Edmonds as a diverse community encompassing multiple age groups, races and lifestyles. There is huge potential in the City, both economically and socially, and as future citizens of Edmonds, they would like to open dialogue regarding an ethnic diversity commission. She summarized

they do not want youth to be feared in Edmonds. Youth are the future and have a huge economic presence in the City that is often unrecognized. She envisioned events that would unite age groups socially. She was also interested in political education for youth, pointing out a more educated youth will result in a more successful future.

Per the 2010 census younger people are moving to Edmonds bringing new social and economic problems and challenges. A youth commission could address those issues from the youth perspective as well provide ideas regarding economic development from their perspective. A youth commission will provide a voice for the future of the City as well as a way to educate potential future leaders.

**Stacy Gardea, Edmonds**, explained as a Hispanic woman, she wants to open the doors to allow exploration. She met with Edmonds-Woodway High School's Principal and Vice Principal today and they were excited about a youth commission. She encouraged the Council to allow a dialogue to be opened, to determine what is needed. She envisioned the two commissions addressing issues and evolving over time.

Councilmember Plunkett was uncertain what was meant by diverse cultures not being heard and youth not being recognized. He asked why certain cultures' voices were not heard and what the City did that closed doors and did not recognize or hear. Ms. Schillios explained the goal is to explore what needs exists. Some of the young people who visit downtown are seeking educational things; perhaps a larger service learning program to learn about different cultures could be explored. She noted the high schools in the area have clubs for different minority groups to assist them explore their needs. There is a huge Russian population in the area; serving at the food bank recently, she found many of them speak very little English.

Ms. Gardea wanted a voice for different ethnicities and youth. She recalled a meeting with a group of IB students to discuss the national budget and most did not know how the City's Police Department was paid. She wanted an opportunity to bring City government to the youth. There are not always activities in the City that attract and promote youth; the kids need things to do. The Economic Development Committee has a lot of ideas but they are often for older citizens. For example, there could be paddle boats on the waterfront.

Councilmember Fraley-Monillas commented her background is State employment where there is a very diverse population. She thanked Ms. Schillios for the work she does. She lives in a diverse family where English is not the first language and understood the cultural issues in a diverse family. For Councilmember Fraley-Monillas, Ms. Gardea advised there is interest in forming two commissions, a diversity commission and a youth commission. Ms. Schillios acknowledged the definition of the commissions has not been defined. They are seeking the City's support to explore it. It may be one forum with subgroups to explore different issues. Direction from the Council will be important with regard to the structure of the commission(s). Although the structure is uncertain, the goal is enrichment.

Councilmember Fraley-Monillas suggested including people with disabilities and intellectual disabilities in the forum.

Councilmember Buckshnis suggested using the EDC as a venue. Ms. Gardea responded that was a possibility in the future, the EDC has been considering some very large issues recently. There is a group of energetic young people interested in being involved; a youth commission will give them a voice. Councilmember Buckshnis suggested creating a youth subgroup of the EDC. She pointed out Parks & Recreation Director Carrie Hite is exploring opportunity for recreational concessions on the waterfront.

Councilmember Bernheim commented the questions they have raised have outlets and means of success in far more areas than a formal government setting. These issues will not be solved by only a Council commission. Everyone shares in the effort to help their fellow men, women and children who are unable

to cope as effectively as others. He was supportive of any group of people that wanted to get together to help improve the community. Ms. Gardea assured the intent was not for the Council to make a decision tonight; the intent was to open a dialogue for future discussion. Councilmember Bernheim preferred to refer the issue to the Public Safety/Human Resources or Community Service/Development Services Committee.

Mayor Cooper opened the opportunity for public input. There were no members of the public present who wished to comment.

Councilmember Wilson advised the resolution was intended to get Council approval to move forward. He was happy to do it himself and bring it back to a committee or to full Council. He preferred to work with staff and citizens and return to the full Council for consideration.

**COUNCILMEMBER WILSON MOVED, SECONDED BY COUNCILMEMBER PETSO, TO APPROVE RESOLUTION 1255, SUPPORTING THE CREATION OF AN ORDINANCE(S) FOR THE PURPOSES OF FUTURE DELIBERATION REGARDING THE CREATION OF COMMISSION STRUCTURES RELATED TO OUTREACH, EDUCATION AND ENGAGEMENT.**

Councilmember Buckshnis inquired about the statement on the agenda that public comment will be received, questioning whether notification was required when public comment was taken. City Attorney Jeff Taraday answered there is no legal requirement for public hearing or public comment on a resolution. It is at the Council's discretion to invite public input. Mayor Cooper explained the Council President can agree to allow public comment on any agenda item. A public hearing requires specific notice.

Councilmember Plunkett commented the Council adopted the agenda; if there was a question about public comment on a specific agenda item, it could have been raised at that time. He looked forward to work being done regarding diversity. He preferred to have citizens work on it and return to the Council. He was uncomfortable with the wording in the resolution, that the Council supports the creation of an ordinance, as he was uncertain whether an ordinance was needed. He suggested a resolution and/or ordinance return to the Council after further work has been done.

Councilmember Bernheim preferred to have the matter considered by a Council committee. He preferred to adopt a resolution in support of a commission, not regarding future adoption.

**COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER BERNHEIM, TO REFER THE RESOLUTION TO THE COMMUNITY SERVICES/DEVELOPMENT SERVICES COMMITTEE.**

Councilmember Wilson questioned referring a resolution that committed the Council to do nothing to a committee. Councilmember Fraley-Monillas explained her intent was to have the group that presented to the Council discuss their vision for the forum with the committee.

Mayor Cooper suggested if the Council was uncomfortable with the resolution, they pass a motion of support and allow the Council President to determine how to proceed.

**COUNCILMEMBER FRALEY-MONILLAS WITHDREW THE MOTION.**

Council President Peterson advised before Councilmember Fraley-Monillas' motion, he had added discussion regarding a diversity commission/youth commission to the CS/DS Committee's September 13 agenda. He expressed support for the resolution.

**COUNCILMEMBER PLUNKETT MOVED, SECONDED BY COUNCILMEMBER BERNHEIM, TO REFER THE RESOLUTION TO THE COMMUNITY SERVICES/DEVELOPMENT SERVICES COMMITTEE. MOTION CARRIED (5-2), COUNCILMEMBER WILSON AND COUNCIL PRESIDENT PETERSON VOTING NO.**

Mayor Cooper expressed his strong support for this effort. He encouraged the Council not to get bogged down in the committee structure. The Council will need to discuss staff support for a diversity/youth commission. He suggested it may be preferable to utilize the energy of the people in the community who want to work on this and allow it to proceed as an ad hoc group.

If the CS/DS committee decided to allow the community members to proceed with creating something more tangible, Councilmember Plunkett asked whether they could proceed without returning to the Council. Council President Peterson preferred to have it return to the Council.

Councilmember Wilson advised the Public Safety/Human Resources Committee will be discussing this at their meeting next week.

#### **7. MAYOR'S COMMENTS**

Mayor Cooper reported he participated as a judge in the sand sculpture contest at Marina Beach on August 1. He commented on the amazing creativity and artistic abilities. He commended the Parks & Recreation staff, Tammy Rankins in particular, and Namas Candy who sponsored the event. He relayed a call from the media after the event who said they were unable to find a parking place to take photographs of the event. He concluded the sculpture contest was another example of how hard the Parks & Recreation staff works.

#### **8. COUNCIL COMMENTS**

Councilmember Petso reported the audit has commenced. It was mentioned at the entrance interview that it is less expensive and questions/concerns are more likely to be considered if they are raised now rather than later.

Councilmember Petso announced the Edmonds Center for the Arts fundraising auction in September. She encouraged anyone interested in contributing to the auction to contact Jamie Herlich at the ECA.

Councilmember Buckshnis reported on Step Out Edmonds, the Senior Center walking program. She announced the Edmonds Senior Center is also holding its annual auction in September. She encouraged Councilmembers and/or the Mayor to donate lunch for four as well as other items for the auction.

Councilmember Bernheim expressed his support for the diversity groups. To the comment that the commission does not need any staff, he explained the commission cannot be under the city's framework and not spend City money due to the need for staff to be assigned to the commission, reports, etc. That is yet another example of the need for a levy. Government tasks are not increasing because of new buildings but the increase in the day-to-day activities.

Councilmember Fraley-Monillas reported she helped with the introduction of Reilly & Maloney at Concerts in the Park on Sunday. She encouraged the public to attend the free concerts 3:00 -4:00 p.m. at City Park on Sundays through the end of August.

Councilmember Wilson relayed there has been a shortage of participation at Yost Pool this summer. His children attend swim classes daily but if not enough people go to family and/or recreation swim time, it will be part of the budget conversation. He encouraged the public to swim at Yost Pool. He also reminded



citizens of the outdoor movies at Frances Anderson Center on Friday evenings. This Friday's feature is Ghost Busters.

Council President Peterson reported Bellingham and Portland recently passed their version of the plastic bag ban. Edmonds is a trend setter and leader in environmental issues and keeping Puget Sound clean.

**9.     ADJOURN**

With no further business, the Council meeting was adjourned at 9:38 p.m.